

FLASH
April 2018



**Union
Syndicale
Fédérale
Consilium**

Brussels, 10 April 2018

Reorganisation with tears

"Communication to staff should start early on (at least 6 months before entry into force for large-scale reorganisations impacting a high proportion of staff) ideally requesting input from staff into the reorganisation process. It is good practice to invite units and/or individual staff members to submit contributions on issues such as current structures, distribution of responsibilities, client and stakeholder orientation and working together."

European Commission : [Guidelines on reorganisations](#)

Our position on the current reorganisation has been fully reflected in the staff Committee's [open letter](#). The [Tell-tale Tit](#) is clearly of the same opinion. Will the Secretary-General now take the time to meet his staff and listen to them or will he limit himself to communicating via Domus ?

Trensparensy, troest and colaborashion at the GSC

The edifying example of DGA3

DGA3 staff worried about the very future of their service? Nonsense! They just have to admit that the world is changing, and adapt. And above all they have to trust their management, who know what's good for the service and for the Council.

So, let's adapt, let's embrace the 'Uberisation' of translation and adopt the concept of throwaway staff: to best meet the demand, we need a workforce which is ever more productive, flexible, and ... disposable. Once the obsolete AST/SC posts have been removed, and excess ADs redeployed to other services or DGs, who will handle the fluctuating workload of DGA3? The [answer from management](#) is simple: contract staff or temporary staff, as appropriate. Properly selected ones, of course, since the Secretary-General himself has officially recognised the crucial role of the Translation Service and no compromise on quality could therefore be envisaged.

What is true for DGA3 is equally true for other DGs and services, which are being adapted, for the greater good, to the new reality of the GSC. Union Syndicale does not dispute that changes are needed, nor are we against the reforms on principle.

However, we do reject outright the systematic policy of the fait accompli ('trensparensy'), complete absence of social dialogue ('colaborashion'), disregard for staff ('troest'), and most of all political choices which are harmful to the future of a European civil service stripped of the officials who are essential for the proper functioning of the EU.

US-info

Enough with the kind words after the fact, enough with the 'friendly but firm' paternalism, let's see the administration also join the twenty-first century and finally interact with its staff as equals!

Internal competitions : FINALLY !

After many years of efforts by Union Syndicale and other unions in the Council, the Appointing Authority is finally organizing the long-awaited [internal competitions](#).

To begin with, two competitions are planned for this year.

The first, to be published shortly, will be a competition for secretaries (SC level). It is intended for temporary staff and for contract staff in function group II and will allow successful candidates to be appointed as civil servants.

Although the Appointing Authority has already taken into account many of Union Syndicale's demands for this competition - which is good news - we regret that, despite our requests, the number of successful candidates (max. 10) is too low to allow a maximum of colleagues already working at the GSC to access a sustainable career.

Later in the year, there will be a second internal competition to become AST in the Security domain, which will be open to SC officials, to temporary staff and to contract staff of function groups III and IV. We have asked to have a double competition (AST and AST/SC) because it's important to be able to keep the expertise of FG II contract staff who are currently working in the Security office.

The right to disconnect

Our managers have officially recognised the [right to disconnect](#). Union Syndicale insisted that this issue be dealt with during the Flexitime consultation, and the Staff Committee actively contributed to the recommendations published by the administration.

It is now up to all staff to respect (and enforce) this right, and up to the administration to go further than providing a few common-sense recommendations.

Union Syndicale will continue to monitor this issue and to insist that more binding measures are put in place, and that the Council adopts good practices which already exist, or will be implemented, in institutions similar to ours, in order to ensure a real balance between work and private life.

Framework (dis)agreement

As you will have seen on [Domus](#), the trade unions and the administration have not been able to agree on the changes which the administration wants to make to the agreement governing their relationship. For Union Syndicale, the main sticking point lies in the administration's wish to place strict limits on the length of in-house secondments to trade unions. We stand by the view that it is not for the administration to decide which of the elected officials may lead the trade union and represent the staff in negotiations. The administration also refuses to allow colleagues to be seconded part-time to the trade union and to keep working in their service in parallel, a decision which would cause major problems for the unions and the Staff Committee.

Another important point is the threshold for recognition as a trade union. Under the current rules, a union can be recognised if it has at least 60 paid-up members. The administration would like to remove this threshold and, faced with our opposition, has proposed a threshold of 20 members, which we still find too low. The stated objective is to encourage broad participation in social dialogue. We believe that allowing organisations which are not at all representative to take part in social dialogue carries the risk of creating a confusion of discordant voices and thus weakening the representation of staff. We wouldn't, of course, dream of supposing that this is the actual aim.

The other issues raised by Union Syndicale in its [statement](#) on the [record of disagreement](#) are mainly related to the drafting. We do however need to quash one rumour: Union Syndicale did not ask for the automatic promotion of seconded staff as a condition for the agreement. We simply repeated that the fact of being seconded to a union must neither accelerate nor slow down the careers of the colleagues concerned. Following the logic of the proposed new reporting and promotion system recently announced by the appointing authority, this means that colleagues seconded to the unions should progress along with the vast majority of staff, i.e. at average speed, no faster, no slower. Union Syndicale still believes that this issue should be covered in the framework agreement rather than in the texts on reporting and promotion.

- [The record of disagreement](#)
- [Statements by Union Syndicale](#)
- [The latest proposal by the AA, with the comments of Union Syndicale](#)

The independence and impartiality of the court

A Union Syndicale member appealed against her staff report before the now defunct Civil Service Tribunal (CST). True to form, the court rejected the appeal.

But in this case the story didn't end there. Our member brought her case before the General Court of the European Union, which [ruled](#) in her favour. Why? Because the procedure for the appointment of judges to the CST was not followed correctly, so their independence and impartiality could be called into question.

It is surprising enough for judges to be appointed by an institution (the Council) which is often one of the parties in cases on which those judges have to rule. But even worse is when, as in this case, the institution does not respect the established procedures.

In the appeal, the General Court considered that the three judges who ruled in favour of the Council against our member could not be considered independent and impartial, and referred the case back to the first instance, to be heard by other judges ...

The case even made it into the [press](#).

Union Syndicale hopes that this time justice will be done.

'Guaranteed income' insurance

Good news for all colleagues who are entitled to allowances for shift work or standby duty or to a lump sum for paid overtime ("forfait heures supplémentaires"). If you are on sick leave for more than one month, you are no longer eligible for these payments. Union Syndicale now offers its members access to guaranteed income insurance, which pays €25 per day for a maximum of six months. For more details please contact our secretariat.

Brexit

Union Syndicale has just [written](#) to the presidents of the Council, European Parliament and Commission asking that the European Union commit, in a unilateral declaration to the Withdrawal Agreement, not to apply Article 49 of the Staff Regulations in the context of Brexit.

Reminder: Equal treatment for health care fees in Belgium

Health care providers in Belgium are legally obliged to charge their normal fees when treating members of the JSIS. This means that contractual health care providers (*conventionnés*) cannot ask for more than the amounts paid by members of Belgian health insurance schemes and set by Belgian social security legislation.

The legal basis for this obligation of equal treatment is provided by Articles 42 and 50 of the [law on compulsory insurance for health care and reimbursements](#), amended by the [law containing various provisions relating to health](#) of 19 March 2013.

You can therefore remind any contractual health care provider in Belgium that they are obliged to charge you the same fee as they would a member of the Belgian social security system.

In order to help staff enforce their rights, we ask the institutions to provide assistance to anyone faced with illegal overcharging.

The Union Syndicale team at your service:



If you think our work is worthwhile, [why not join us](#)? Together we're stronger!